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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/786,352	03/13/2001	Mirosław Z Bober	204207US2PCT	8286

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EXAMINER

DESIRE, GREGORY M

ART UNIT	PAPER NUMBER
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2625

DATE MAILED: 04/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/786,352

Applicant(s)

BOBER, MIROSLAW Z

Examiner

Gregory M. Desire

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 6-11 and 24-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6-11 and 24-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/28/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communication filed 9/10/04.

Response to Amendment

2. The examiner acknowledges the newly added claims 24-36 and the cancellation of claims 4-5 and 12-23. The objection to claims 10-11 was withdrawn. Claim 10 was amended to only include limitations of the independent claim. Abbasi discloses the limitation in previous objected claims

Response to Arguments

3. Applicant's arguments, see remarks page 10 last paragraph and page 11, filed 9/10/04, with respect to the rejection(s) of claim(s) 1-3, 6-10 under 35 USC 102 (e) and 35 USC 103 (a) and have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of S. Abbasi et al.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-3, 6-11 and 24-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Abbasi et al (6,055,340).

Regarding method and apparatus claims 1, 10, 24, 28 and 31-36 Abbasi discloses,

Deriving a curvature scale space representation of the object outline by smoothing the object outline (note page 287 paragraph 4 lines 2-12, curvature space representation derived by Gaussian smoothing),

Deriving at least one additional parameter reflecting the shape or mass distribution of a smoothed version of the original curve (note page 290 paragraph 5 lines 1-6 describes at least one addition parameter reflecting the css image), and

Associating the CSS representation and the additional parameter as shape descriptor of the object, wherein the at least one additional parameter corresponds to the eccentricity of the outline (note page 290-291 paragraph 5 lines 1-15 lines describes additional parameter as eccentricity which is shape dependent)

Regarding method claim 2 Abbasi discloses,

Wherein an additional parameter relates to the smoothed outline corresponding to a peak in the CSS image (note page 291 lines 16-19, aspect ratio describes an additional parameter corresponds to height (peak)).

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Regarding method claim 3 Abbasi discloses,

Wherein an additional parameter relates to the smoothed outline corresponding to the highest peak in the CSS image (note page 291 lines 16-19, aspect ratio describes maximum height, thus highest peak).

Regarding method claim 6, Abbasi discloses,

Wherein at least one additional parameter uses a region-based representation (note page 290, paragraph 5 lines 3-4, eccentricity is region based parameter).

Regarding method claims 7, 9 and 11 Abbasi discloses,

Wherein an additional parameter is a region moment invariant (note page 290, paragraph 5 lines 4-7 eccentricity defines region moment).

Regarding method claim 8 Abbasi discloses,

Wherein an additional parameter is based on Fourier descriptor (note page 290, paragraph 4.3, shape descriptor is well known Fourier descriptor).

Regarding apparatus claim 25 Abbasi discloses,

Deriving a representation of an object in an image comprising a control device and storage area (note page 285 lines 10-13, computer system contains storage area and control device).

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Regarding apparatus and method claims 26 and 29 Abbasi discloses,

Wherein the storage area is an image database (note page 289, paragraph 4.2 lines 1-2, shape stored in a database)

Regarding apparatus claim 27 Abbasi discloses,

A display (note page 285 lines 10-13, computer system contains storage area, control device and display).

Regarding method claim 30 Abbasi discloses,

Wherein said determining a curvature scale space representation includes determining zero crossing points for an initial set of curves generated to produce said plurality of curves representative of said outline (note page 287-289 paragraph 4 describes zero crossing).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory M. Desire whose telephone number is (703) 308-9586. The examiner can normally be reached on M-F (8:30-6:00) Second Monday off.

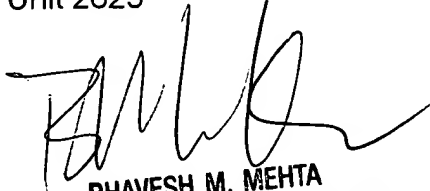
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on (703) 308-5246. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory M. Desire
Examiner
Art Unit 2625

G.D.
March 1, 2004



BHAVESH M. MEHTA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600